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SUBJECT: CENTRAL AND SOUTH AMERICA FRAUD PREVENTION
MANAGERS CONFERENCE 2009

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11. (U) SUMMARY: The Miami Passport Agency hosted a conference for Fraud Prevention Managers (FPMs) assigned to posts in South and Central America from September 15 - 17, 2009. The conference included 40 attendees from 19 different posts, the Department of Labor, the Department of Homeland Security's Citizenship and Immigration Services (DHS/CIS) Vermont Service Center, the Human Smuggling and Trafficking Center (HSTC), the DHS/CIS Office of Fraud Detection and National Security (FDNS), the DHS Customs and Border Protection (DHS/CBP) Miami Airport Office, and several Diplomatic Security (DS) and Consular Affairs (CA) offices, including DS's Visa and Passport Analysis Unit (VPA). Conference participants shared information on regional and international fraud trends and provided posts new ideas and best practices in tackling fraud. Presentations covered Fraud Prevention Unit (FPU) best practices, nonimmigrant visa (NIV) and immigrant visa (IV) petition processing and fraud prevention, child smuggling, fraud prevention outreach and public diplomacy, marriage/relationship schemes, passport and American Citizen Services deception, and preventing consular malfeasance. END SUMMARY.

CA Shares New Developments

12. (U) CA Assistant Secretary Janice Jacobs, as well as other CA presenters, shared new technological developments that promise to enhance posts' fraud prevention efforts, including the Consular Electronic Applications Center, the Consular Case Management Service, the Global Visa System, the Global Citizen Services system, and Global Watch Phrase. A/S Jacobs challenged posts to respond to the reduction in dependence on paper applications by developing new ways to counter fraud. Participants welcomed the news that CA is working on integrating DHS's Arrival Departure Information System into the NIV System.

¶3. (U) Several officers thanked A/S Jacobs for the revamped worldwide visa referral policy, but noted that they still have difficulties with referrers reluctant to follow the procedures or who insist on making inquiries and applying pressure regarding refused cases. A/S Jacobs stressed that consular officers have sole authority to grant visas, stating "What we do is grounded in law. It is not a policy; it is not a deliverable; it is not a gift." She emphasized that the Deputy Chief of Mission and Front Office at post are obligated to support consular efforts in managing the referral program, lessening the need for consular managers to face direct conflict with other section heads. An online course for referrers is currently under development by the Visa Office and will be available next year. (Please read the newly amended referral policy contained in State 115658)

¶4. (U) Echoing the comments from A/S Jacobs on consular authority and integrity, the Director of the Office of Fraud Prevention Programs' Consular Integrity Division (CA/FPP/CID) emphasized the need to curb supervisory overcomes of visa refusals. He also reminded posts that they must prevent manipulation of the appointment system and strictly adhere to a system transparent to the public. He discussed other problem areas, including conflict of interest cases where officers fail to properly recuse themselves, and cashier malfeasance cases involving "refunds" made to the cashiers themselves.

Fraud Prevention Techniques and Outreach

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¶5. (SBU) Representatives from several posts discussed methods used to maintain an efficient FPU and to uncover fraud or child smuggling rings. Rio de Janeiro's FPM recommended that the FPU be active and visible in all consular units, and to instruct all officers in the working of post's fraud standard operating procedures and case referral and tracking processes. Representatives from Sao Paolo and Guayaquil recommended pre-screening families using the NIV System's "Group" function, conducting Text Searches on family members, and monitoring and mining appointment list data to help thwart visa fixers and smuggling rings.

¶6. (U) FPMs from Buenos Aires and San Salvador discussed their use of anti-fraud public diplomacy and effective contact-building techniques. San Salvador's multi-pronged media campaign seeks to shift the Embassy's perceived message from "don't break the law" to "don't get fooled," and also takes advantage of technological resources such as webchats, Facebook, and "Ask the Consul" columns to reinforce the message. The FPM from Buenos Aires recommended that FPMs use courtesy calls, social events, working groups, and training opportunities to foster relationships with other Embassy and host government officials, airline personnel, and other USG offices such as the Regional Security Office, the Legal Attache, the Drug Enforcement Administration, or DHS's Immigration and Customs Enforcement.

NIV and IV Petition Processing and Trends

¶7. (SBU) Participants particularly enjoyed the opportunity to hear from the agencies and offices handling NIV and IV petitions. Representatives from the Department of Labor's Wage and Hour Division, DHS/CIS's Vermont Service Center (VSC) Adjudications and Fraud Detection Unit, and the Headquarters Office of FDNS discussed typical labor violations and H (temporary worker) and L (intracompany transfer) visa fraud trends. These trends included failure of petitioners to pay the required wage rate, failure to provide a labor certification authorization for the current job location, improper passing of fees to the beneficiary, and fraudulent or forged documents and qualifications. FDNS reported that recent studies showed 34 percent of L visa fraud originated in South America, particularly Venezuela, Colombia, and Brazil. Representatives from posts in those countries agreed with the assessment. DHS/CIS attendees indicated that consular officer case notes in the CCD are

invaluable in helping them evaluate visa petition revocations and to corroborate statements from tourist visitors requesting an extension of stay. The Kentucky Consular Center FPM gave tips on effective revocation memo writing and informed posts that they can report labor violation complaints without a revocation request.

¶8. (U) The National Visa Center (NVC) FPM discussed NVC's fraud prevention methods, noting that fiance visas are particularly scrutinized. The FPM also encouraged posts to send adverse information on cases not yet received at post to NVC for inclusion in their fraud lookout system.

¶9. (SBU) Outlining trends in Colombian marriage and relationship fraud, Bogota's FPM observed that IV officers evaluating cases for fraud look at frequency of petitioner's travel to Colombia, differences in age and social strata, and flimsy or staged evidence of the relationship. Bogota has also seen increased relationship fraud in NIV, and uses the "Group" feature in the NIV System to help track related cases, focusing attention on the timing of purported marriages. As prosecutors typically will not accept cases involving a small number of affected parties, DHS/CIS VSC representatives appealed to posts to seek connections between IV cases that would bring them to a prosecutable threshold. Posts noted frustration with bureaucratic obstacles to petition revocation in cases where they have determined that a sham marriage exists. Offices in Washington are currently discussing this issue with DHS/CIS.

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Passport and ACS Fraud

¶10. (SBU) CA/FPP and Miami Passport Agency's FPM noted similarities in domestic and overseas passport fraud trends. Although use of counterfeit documents has decreased, impostor fraud has been on the rise. Commonly cited passport fraud indicators included recently dated breeder documents, non-family emergency contacts, and missing or limited information

Smuggling/Trafficking and Law Enforcement

¶11. (U) DS's VPA representative highlighted successes and benefits of the Assistant Regional Security Officer - Investigator (ARSO-I) Program, and described the work of the VPA in providing strategic, operational, and tactical support in combating visa and passport fraud.

¶12. (U) The HSTC's presentation discussed the latest regional human smuggling and trafficking trends. The presentation also offered suggestions for anti-trafficking interviewing techniques.

¶13. (SBU) Conference participants found particularly interesting the presentation by three officers from DHS/CBP's Miami Airport Office. DHS/CBP has 400 officers at the Miami airport, where they process almost 28,000 international passengers per day. The officers noted that some airlines provide a high level of cooperation, thus keeping out malafide passengers, while others refuse training and continually board passengers with fraudulent documents. The DHS/CBP Officers reported that the 2000 - 2001 Teslin visas are a favorite for fraudulent use through washing of the visa data and subsequent reprinting with false information.

Comment

¶14. (U) Attendee feedback indicated that the conference was a success, with participants appreciating the broad range of USG agency participation and the opportunity to network and share information with colleagues. Best practice recommendations from conference attendees included writing notes in all issuance and refusal NIV cases, taking sworn statements when fraud is admitted, submitting thoroughly researched and timely petition revocation requests, and

seeking Front Office support in dealing with improper referrals and inappropriate inquiries on visa cases. Participants expressed a desire for additional assistance when dealing with close facial recognition matches (recommending that a CA office be designated as the point of referral for assistance), procedures for handling reaffirmed IV petitions, and guidance for entering American citizen impostors into the Consular Lookout and Support System. Conference participants have reported that they began collaboration with other conference attendees immediately, and that they have already provided new training to officers and staff based on information learned in Miami.

¶15. (U) CA/FPP is following-up with relevant CA offices on participant suggestions and will provide updates when available. Materials presented at the conference are available on CA FPP's Intranet website.

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